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cluding volume, it is appropriate, in view of the admirable manner in which the undertaking has been carried to completion, again to express the reviewer's approval and to repeat the thanks which it is felt are due to the members of the committee of the Association of American Law Schools for the labor and discriminative care which they have devoted to their task.

In the present volume thirty essays are included, each devoted to the historical consideration of particular topics in the law. Twelve of these are within the field of commercial law, five relate to contracts, three to torts, five to property in general, and five to wills, descent, intestacy. The three volumes together contain seventy-six essays.

Aside from the very considerable service which these volumes perform in rendering easily accessible these excellent studies, it is believed that their re-publication will furnish a stimulus to further historical study of a law. Many, indeed most, of the essays, furnish and pretend to furnish only an introduction to, or general survey of, the special fields to which they relate, but by their excellence cannot but fail to furnish both an encouragement and a stimulus to further research. It is not unlikely that this will prove to be the greatest service of these volumes.

The History of Caste in India. Volume I. Evidence of the Laws of Manu on the Social Conditions in India during the Third Century A.D., Interpreted and Examined; with an Appendix on Radical Defects in Ethnology. By SHRIDHAR V. KETKAR. (Ithaca: Taylor and Carpenter, 1909.)

The author intends this monograph to form part of a series dealing with the history of the Hindu caste system, from the earliest Vedic times to the present. Instead, however, of beginning with the most remote antiquity, he sacrifices historical continuity and treats in his first volume a comparatively late period of Indian history, when the main outlines of the present caste system were already firmly established. One cannot but feel that the value of this work on Manu would have been greater, if he had first made a scientific study of the older Indian literature, from which an enormous amount of light could be brought to bear on Manu's treatment of caste. As it is, he scarcely refers to the Veda at all, and his attitude towards the Buddhist writings (to which he only alludes incidentally, promising a fuller treatment in another volume) is marred by an unfor-

fortunate prejudice, which seems to have blinded him to their great value for his subject.

In the second chapter the author gives some brief remarks on the caste system as it exists today. In his definition of caste he makes endogamy the prime determinant; a caste is a group whose "members are forbidden by an inexorable social law to marry outside the group." This is undoubtedly true for the present time. But Mr. Ketkar should have made it clear that this definition does not apply to more ancient times; in particular, it does not apply to the time of Manu, which is the special subject of his book. He himself shows, later on, that Manu distinctly allows a Brahmin, for instance, to marry a lower caste woman. As a general definition of caste, this is unsatisfactory. Moreover, such a definition should refer to the religious character of the laws of caste in India, as well as to their social aspect. This point the author has made clear in later parts of the book.

The remarks on the Theory of Caste are interesting, as showing the standards by which the relative rank of castes is at present determined. Less profitable is the section on Psychology of Caste, which contains little that has not been expressed in better language before.

The chapters on the subject proper, Manu's treatment of caste, show that the author has thoroughly worked over the sources, and in spite of the shortcomings already indicated his account is interesting and valuable. We might wish, however, that his patriotic anxiety to defend the institutions of his country had been made a little less prominent. For this is one of the most curious things about the book; although in the introduction the author speaks of caste as an evil, and seems to concede that the only question is as to the best means of mitigating it, yet throughout the book his efforts seem to be bent towards defending the caste system. This he does, broadly speaking, in two ways. First, he tries to prove that caste in its essential outlines is not very different today from what it was in the days of the Hindu lawgivers. He makes out a fairly good case for this as to Manu; had he gone back a few centuries earlier, he would have found it much harder. Secondly, he points out many real or supposed analogies to caste regulations in Europe and especially in America. Here his remarks are sometimes rather ludicrous, though sometimes very just and worthy of serious consideration by Americans. But if both these arguments were granted, we should still not need to accept the conclusion (which is constantly insinuated, though not openly stated), that some form of the caste system is a laudable or at least a necessary institution. Mr. Ketkar is a Marathi Brahmin, a

member of one of the proudest castes in India, and is not uninfluenced by that fact.

We have alluded to the author's prejudice against Buddhism. Thus on p. 122, note 7, he says: "Gautama (Buddha) is very often barbarously complimented as a man who fought against caste, and his creed is called a revolt against the caste system. . . . Mr. Rhys Davids has shown the fallacy of complimenting Buddha for breaking caste in his various introductions to the Dialogues of Buddha." This is a gross misrepresentation both of Buddhism and of Rhys Davids (see his *Dial. Bud.*, p. 96 ff.). On Buddha's attitude on this subject Rhys Davids says: "In the first place, as regards his Order, over which alone he had complete control, he ignores completely and absolutely all advantages or disadvantages arising from birth, occupation and social status, and sweeps away all barriers and disabilities arising from arbitrary rules of mere ceremonial or social purity. . . . Secondly, as regards all such matters as we may now fairly call questions of caste outside the Order, the Buddha adopted the only course then open to any man of sense; that is to say, he strove to influence that public opinion, on which the observances depend, by a constant inculcation of reasonable views." These statements, which Rhys Davids elaborates at some length, represent the consensus of opinion of all competent scholars on Buddhism, and it requires only a slight reading in the Buddhist scriptures to show that they are true,—if the reader is at all fair-minded. But they are evidently very different from the views which Mr. Ketkar attributes to Rhys Davids.

Such a series of works as the author outlines would form a very desirable addition to our knowledge of Indian civilization; but Mr. Ketkar, in spite of his manifest cleverness and his Western education, is still too good a Brahmin at heart to accomplish the task in the right way.

FRANKLIN EDGERTON.

The Crisis of Liberalism: New Issues of Democracy. By J. A. HOBSON. (London: P. S. King & Son. 1909. Pp. 284.)

This volume is made up of articles which have appeared in various periodicals in recent years. Although the author states in his preface that they have been "composed with the definite object of relating the present constitutional struggle to the larger and more important issue of the future of liberalism" in England, none of the chapters have more